U.S. Department of Justice 00-cv-01621-GD United States Marshals Service

Docume PROCESSIRE/CHAPPE AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

| PLAINTIFF | | | | | | | COURT CASE NUM | | |
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| | UNITED STAT | ES OF AM | ERICA | 7.1 | | | CA 00-162 | MISE | |
| DEFENDANT | • | | | | | | TYPE OF PROCESS | | |
| · | KENNETH M | ARONCKES | S AND SA | NDRA R AR | ONCKES | - | HANDBILL NOI | CE OF S | ALE |
| | | | | | | ESCRIPT | ION OF PROPERTY T | O SEIZE OR | CONDEMN |
| SERVE |) | | | | | | | | |
| AT | ADDRESS (Str | eet or RFD, Apo | artment No., C | City, State and ZIF | Code) | | | | |
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| SEND NOTICE | OF SERVICE CO | PY TO REQUE | STER AT NA | ME AND ADDR | RESS BELOW | Nui | nber of process to be | | |
| | | | | | | serv | ed with this Form 2 | | 3 S.S. |
| H | BERNSTEIN L | AW FIRM. | P.C. | | | - | F | | |
| I | ORI A GIBS | ON, ESQUI | RE | | | Number of parties to be served in this case | | | |
| | SUITE 2200 (| | | | * | L | A | JG 0 8 2 | |
| I I | ITTSBURGH, | PA 15219 | | | | Che | ck for service LERK, U | C DICTOL | |
| L | _ | | | | | on U | J.S.A. DIS | T. OF PEND | T COURT |
| SPECIAL INST | TRUCTIONS OR O | THER INFORM | ATION THA | T WILL ASSIST | IN EXPEDITING SE | ERVICE (| Include Business and A | lternate Addi | resses. |
| All Telephone ! | Numbers, and Estin | nated Times Avo | tilable for Sei | vice): | | •, | | | |
| P P | LEASE POST | HANDBILL | NOTICE | OF SALE O | N PREMISES I | REFORE | 7-30-05 | ~ | Fold |
| W | HICH IS 30 | DAYS BEF | ORE DATI | E OF SALE. | WHEN FILT | IG YOU | R RETURN ON | _, | |
| T | HIS FORM 28 | 35, PLEAS | E ATTACI | H COPY OF | HANDBILL NOT | CICE C | F SALE. | | |
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| Signature of Atto | orney other Originate | or requesting ser | rvice on behal | f of: | 1 | TEI EDU | ONE NUMBER | DATE | |
| Ü | | | | | PLAINTIFF | | | JANE 1 | _ |
| | | | | | DEFENDANT | 412-4 | 56-8100 | 62 | 9-05 |
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| I acknowledge re | ceipt for the total | Total Process | District of | District to | Signature of Author | | • • | | ate |
| number of proces (Sign only for US | | | Origin | Serve | | | | | |
| than one USM 28 | 'S is submitted) | | No | No. | | | | | |
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MAY BE USED

2. USMS RECORD

3. NOTICE OF SERVICE 4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment,

if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

Rev. 12/15/80

Automated 01/00

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States Court for the Western District of Pennsylvania and to me directed, I shall expose the following real property to public sale at the Westmoreland County Courthouse, PA hereinafter described property 5 Lentz Court Irwin, PA 15642 being more fully described as follows:

ALL that certain lot or parcel of ground situate in the Township of Hempfield, County of Westmoreland and Commonwealth of Pennsylvania, being more particularly Lot 217 in the Rolling Hills Section 2, Plan of Lots, as the same is recorded in the Recorder's Office in and for Westmoreland County, in Plan Book 26, page 48 and 49.

Having erected thereon a one story brick dwelling with attached garage.

EXCEPTING AND RESERVING hereout and herefrom, all of the coal, mineral and mining rights as the same have heretofore been conveyed and reserved by predecessors in title by instrument of record; subject to the building lines as shown on said recorded plan; also subject to building and use restrictions as set forth in Deed Book 1572, page 126.

BEING the same premises which Robin G. Mynhier and Martha S. Mynhiers, his wife, conveyed by deed dated August 5, 1986, and recorded in Westmoreland County Recorder of Deeds at DBV 2684, Page 428 to Kenneth M. Aronckes and Sandra R. Aronckes, his wife.

SAID SALE to be held at the WESTMORELAND COUNTY COURTHOUSE, GREENSBURG, PA at 10:00 a.m. prevailing, standard time, on AUGUST 30, 2005.

All those certain tracts of land, together with the buildings, and improvements erected thereon described as Tax Parcel 50-12-14-0-018-00-000 in Westmoreland County, Assessment Office, Pennsylvania. Seized and taken in execution as the property of Kenneth M Aronckes and Sandra R Aronckes, at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action Number 00-1621. TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. On behalf of the U. S. Marshals Service, we are allowing the highest bidder to secure by official bank check or money order the 10% of the highest bid amount within one hour of the conclusion of the sale. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Purchaser shall furnish Marshal with Grantee information at the sale. Marshal's costs, fees and commissions are to be Thomas M. Fitzgerald, United States Marshal. For additional information visit borne by seller. www.resales.usda.gov or contact Kristen Good at 724-482-4800 ext. 123.

U.S. Department of Justice United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

| PLAINTIFF | COURT CASE NUM | BER |
|--|---|------------------------|
| UNITED STATES OF AMERICA | CA 00-1621 | MISC. |
| DEFENDANT | TYPE OF PROCESS | |
| KENNETH M ARONCKES AND SANDRA R ARONCKES | WRIT OF EXECT | |
| NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR C | ESCRIPTION OF PROPERTY T | O SEIZE OR CONDEM |
| SERVE J SANDRA R ARONCKES | • | |
| AT ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) | · · · · · · · · · · · · · · · · · · · | |
| 5 LENTZ COURT IRWIN, PA 15642 | • | ٠. |
| SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW | | T |
| *************************************** | Number of process to be served with this Form 235 | |
| | | |
| BERNSTEIN LAW FIRM, P.C. Suite 2200 Guif Tower | Number of parties to be | |
| Pittsburgh, PA 15219 | served in this case | • |
| (412) 456-8100 | Check for service | |
| | on U.S.A. | |
| SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SE | Duce a la constant | |
| All Telephone Numbers, and Estimated Times Available for Service): | RVICE (Include Business and Al | ternate Adaresses, |
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| SERVE BEFORE /-700 OS, WHICH IS 30 DAVS | BEFORE DATE OF C | TATE MEEN |
| FILING YOUR RETURN ON THIS FORM 285, PLE. DOCUMENTS WHICH WE PROVIDE HEREWITH. | ASE ATTACH EXTRA | COPIES OF |
| DOCUMENTS WHICH WE PROVIDE HEREWITH. | | |
| Signature of Attorney other Originator requesting service on behalf of: | TI COUCHE MUNICO | DATE |
| | TELEPHONE NUMBER | |
| ☐ DEFENDANT | 412-456-8100 | 6-29-05 |
| SPACE BELOW FOR USE OF US. MARSHAL ONLY DO NO | T WRITE BELOW T | HIS LINE |
| Lacknowledge receipt for the total Total Process District of District to Signature of Authori | zed USMS Deputy or Clerk | Date |
| number of process indicated. (Sign only for USM 285 if more | | |
| than one USM 285 is submitted) No. No. No. | • | |
| I hereby certify and return that I \(\square\) have personally served, \(\square\) have legal evidence of service, \(\sqrt{2} \) have es | | |
| on the individual, company, corporation, etc., at the address shown above on the on the individual, compan | tecuted as snown in "Remarks", ii y, corporation, etc. shown at the at | tdress inserted below. |
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| | of abode | |
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U.S. Department of Justice United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

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| | BEF | RNSTEIN LAW F | FIRM, P.C. | • | | | | | |
| | . Suite | 2200 Gulf Tower | • | * | | i | umber of parties to be rved in this case | | |
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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| UNITED STATES OF AMERIC | A |
|-------------------------|---|
| Plaintiff, | |

VS.

Civil Action No. 00-1621 Misc. No.

KENNETH M ARONCKES AND SANDRA R ARONCKES Defendants

WRIT OF EXECUTION

| United States of America |) | | |
|----------------------------------|---|---|-----|
| | |) | SS: |
| Western District of Pennsylvania |) | | |

To the United States Marshal, Western District of Pennsylvania:

To satisfy Judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property:

ALL that certain lot or parcel of ground situate in the Township of Hempfield, County of Westmoreland and Commonwealth of Pennsylvania, being more particularly Lot 217 in the Rolling Hills Section 2, Plan of Lots, as the same is recorded in the Recorder's Office in and for Westmoreland County, in Plan Book 26, page 48 and 49.

Having erected thereon a one story brick dwelling with attached garage.

EXCEPTING AND RESERVING hereout and herefrom, all of the coal, mineral and mining rights as the same have heretofore been conveyed and reserved by predecessors in title by instrument of record; subject to the building lines as shown on said recorded plan; also subject to building and use restrictions as set forth in Deed Book 1572, page 126.

BEING the same premises which Robin G. Mynhier and Martha S. Mynhiers, his wife, conveyed by deed dated August 5, 1986, and recorded in Westmoreland County Recorder of Deeds at DBV 2684, Page 428 to Kenneth M. Aronckes and Sandra R. Aronckes, his wife.

Issue Writ of Execution in the above matter:

| Case 2:00-cv-01621-GD | Document 7 | Filed 08/08/2005 | Page 6 of 9 |
|-----------------------|------------|------------------|-------------|
|-----------------------|------------|------------------|-------------|

| Principal | \$49,454.34 |
|--|-------------|
| Interest to 08/31/99 | \$ 5,188.78 |
| Interest at the daily rate from 9/1/99 through 11/6/00, the date of judgment | \$ 5,024.16 |
| Interest Credit Subject to Recapture | \$24,308.94 |
| Administrative Costs | \$ 150.00 |
| Total | \$84,126.22 |

Plus interest from the date of Judgment at the legal rate and future costs to be added.

CLERK OF COURT

P. Shaffe

Seal of the Court

Date: 111N 2 7 2005

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA Plaintiff,

VS.

Civil Action No. 001621 Misc. No.

KENNETH M ARONCKES AND SANDRA R ARONCKES

Defendants

NOTICE OF MARSHAL'S SALE OF REAL ESTATE

To: KENNETH M ARONCKES 5 LENTZ COURT IRWIN, PA 15642

This is to notify you that the real estate owned by Kenneth M Aronckes and Sandra R Aronckes and more fully described below, will be sold at United States Marshal's Sale on AUGUST 30, 2005 AT 10:00 a.m. The sale will take place at the WESTMORELAND COUNTY COURTHOUSE, GREENSBURG, PA. The property being sold is: 5 Lentz Court, Irwin, PA 15642.

ALL that certain lot or parcel of ground situate in the Township of Hempfield, County of Westmoreland and Commonwealth of Pennsylvania, being more particularly Lot 217 in the Rolling Hills Section 2, Plan of Lots, as the same is recorded in the Recorder's Office in and for Westmoreland County, in Plan Book 26, page 48 and 49.

Having erected thereon a one story brick dwelling with attached garage.

EXCEPTING AND RESERVING hereout and herefrom, all of the coal, mineral and mining rights as the same have heretofore been conveyed and reserved by predecessors in title by instrument of record; subject to the building lines as shown on said recorded plan; also subject to building and use restrictions as set forth in Deed Book 1572, page 126.

BEING the same premises which Robin G. Mynhier and Martha S. Mynhiers, his wife, conveyed by deed dated August 5, 1986, and recorded in Westmoreland County Recorder of Deeds at DBV 2684, Page 428 to Kenneth M. Aronckes and Sandra R. Aronckes, his wife.

All parties interested and claimants are hereby given notice that a schedule for distribution will be filed by the United States Marshal for the Western District of Pennsylvania not later than 30 (thirty) days

after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Claims against property must be filed at the office of the United States Marshal before above sale date.

Claims to proceeds must be made with the Office of the United States Marshal before distribution.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a Judgment against you. It may cause your property to be held or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you

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Claims against property must be filed at the office of the United States Marshal before above sale date.

Claims to proceeds must be made with the Office of the United States Marshal before distribution.

Attached hereto is a copy of the Writ of Execution. It has been issued because there is a Judgment against you. It may cause your property to be held or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

Lawyer Referral Service Westmoreland Bar Association 129 North Pennsylvania Avenue Greensburg, PA 15601 Telephone: 724-834-8490

You may have legal rights to prevent the Marshal's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Marshal's Sale by filing, before the sale occurs, a Motion to Open or Strike the Judgment or a Petition to Stay the Execution.

If the Judgment was entered because you did not file with the Court a defense or objection you might have had within sixty (60) days after a Notice of Lawsuit and Request for Waiver of Service was sent to you or within twenty (20) days after personal service of the Complaint, you may have a right to have the Judgment opened if you promptly file a Motion with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the Judgment is opened, the Sale would ordinarily be delayed pending a trial of the issue of whether the Plaintiff has a valid claim entitling it to foreclose upon or sell the real property.

You may also have the right to have the Judgment stricken if there has not been valid service of the Complaint or if the Judgment was entered before sixty (60) days after service of Notice Lawsuit and Request for Waiver of Service of Summons was sent to you or within twenty (20) days after personal service of the Complaint or in certain other events. To exercise this right, you would have to file a Motion to Strike the Judgment.

If Judgment was entered against you by confession, you may not have certain of the rights set forth above, but you still may have the right to move to have the Confessed Judgment opened or stricken on proper grounds.

You may also have the right to Petition the Court to stay or delay the execution and Marshal's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

You may also have the right to have the Marshal's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Marshal's Sale. To exercise this right, you should file a Petition with the Court after the sale and before the Marshal has delivered his Deed to the property. The Marshal will deliver the Deed if no Petition to Set Aside the Sale is filed within 10 (ten) days from the date when the Schedule of Distribution is filed in the office of the Marshal.

Respectfully submitted, BERNSTEIN LAW FIRM, P.C.

Lori A. Gibson, Esquire Attorney for Plaintiff PA I.D. #68013

Suite 2200 Gulf Tower Pittsburgh, PA 15219

DIRECT DIAL: (412) 456-8100